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10/609,034	06/27/2003	Anton T. Husak	ATTW01-00009	8420
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DOCKET CLERK P.O. BOX 802432 DALLAS, TX 75380				YACOB, SISAY
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		2635		

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/609,034	HUSAK, ANTON T.
	<b>Examiner</b>	<b>Art Unit</b>
	Sisay Yacob	2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 27 June 2003.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-27 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-27 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 27 June 2003 is/are: a)  accepted or b)  objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_ .

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_ .

**DETAILED ACTION**

1 The application of Husak "Device and method for improved text entry on an alphanumeric keypad" filed on June 27, 2003 been examined.

Claims 1- 27 are pending

***Rejections - 35 USC § 103***

2 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3       Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over US publication of Tsubai et al. (20040070522) in view of US patent of Kandogan et al. (6,765,556).

4       As to claim 1, Tsubai et al., discloses a method for receiving input in a device having an alphanumeric keypad (Abs 1-9; See figure 2) comprising receiving a first input corresponding to the press of a first key, a primary input value (Page 2, Par. 25, lines 1-3), and a plurality of secondary input values, receiving a second input corresponding to the press of a second key (Page 2, Par. 25, lines 3-7), if the press of the first key is released before the press of the second key is received, then generating a result value corresponding to the primary input value of the first key (Page 3, Par. 32-46; See figure 3), and if the press of the first key is not released before the press of the second key is received, then generating a result value corresponding to the secondary input value of the second key (Page 3, Par. 47-57; See figure 3), however, Tsubai et al., does not expressly disclose a first key having row value, a second key having a primary input value and a plurality of secondary input values, and the generating of result value corresponding to the secondary input value of the second key indicated is being based on by the row value of the first key. In the same field of endeavor, Kandogan et al., disclose the first key having row value (Col. 2, lines 43-53; Col. 3, lines 1-17, 27-36, 58-67; See figure 1), the second key having a primary input value and a plurality of secondary input values (Col. 2, lines 43-53; See figure 1), the generating of a result value corresponding to the

secondary input value of the second key indicated by the row value of the first key (Col. 3, lines 17-27, 41-43).

It would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the method for receiving input in a device having an alphanumeric keypad of Tsubai et al., by incorporating first key having row value, the second key having a primary input value and a plurality of secondary input values, as taught by Kandogan et al., in order to have a method for receiving input in a device having an alphanumeric keypad, because Tsubai et al., discloses a method for receiving input in a device having an alphanumeric keypad, receiving a first input corresponding to the press of a first key, the first key having row value, a primary input value, and a plurality of secondary input values, receiving a second input corresponding to the press of a second key, the second key having a primary input value and a plurality of secondary input values, if the press of the first key is released before the press of the second key is received, then generating a result value corresponding to the primary input value of the first key, and if the press of the first key is not released before the press of the second key is received, then generating a result value corresponding to the secondary input value of the second key, indicated by the row value of the first key and Kandogan et al., discloses first key having row value, the second key having a primary input value and a plurality of secondary input values.

5 As to claim 2, the method of claim 1, further, Tsubai et al., discloses the press of the first key is released before the press of the second key is received,

then generating a subsequent result value corresponding to the primary input value of the second key (See figures 3 and 4).

6 As to claim 3, the method of claim 1, further, Kandogan et al., discloses the primary input value of the first key is a numeric character (See figures 1 and 10).

7 As to claim 4, the method of claim 1, further, Kandogan et al., discloses wherein the secondary input values of the second key are alphabetic characters (See figures 1 and 10).

8 As to claim 5, the method of claim 1, further, Kandogan et al., discloses the device is a mobile telecommunications device (Col. 1, lines 47-49).

9 As to claim 6, the method of claim 1, however, the combination of Kandogan et al., and Tsubai et al., does not expressly discloses if the row value of the first key is equal to 1, then the first of the secondary input values of the second key is selected as the result code. But Kandogan et al., discloses different symbols may be assigned to 1 key (Col. 6, lines 56-67).

It would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the method for receiving input in a device having an alphanumeric keypad of Kandogan et al., to have the row value of the first key is equal to 1, the first of the secondary input values of the second key is selected as

the result code, because Kandogan et al., discloses different symbols may be assigned and uses program to implement the method for input of (Col. 10, lines 48-50) and one of ordinary skill in the art recognizes that a program may be adapted to manipulate the output of any key.

10 As to claim 7, the method of claim 1, further, Kandogan et al., discloses the method is repeated for subsequent key presses (Col. 2, lines 57-67).

11 As to claim 8, the method of claim 1, further, Kandogan et al., discloses a character corresponding to the result value is displayed (Col. 5, lines 24-26).

12 As to claim 9, the method of claim 1, further, Kandogan et al., discloses the row value of the first key corresponds to the physical row placement of the key on the alphanumeric keypad of the device (Col. 3, lines 29-36).

13 As to claim 10, the method of claim 1, further, Kandogan et al., discloses the alphanumeric keypad is a standard telephone keypad (Col. 2, lines 33-35; See figure1).

14 As to claim 11, Tsubai et al., discloses a device having an alphanumeric keypad (Abs 1-9; See figure 2) comprising means for receiving a first input corresponding to the press of a first key, a primary input value (Page 2, Par. 25, lines 1-3), and a plurality of secondary input values, means for receiving a

second input corresponding to the press of a second key (Page 2, Par. 25, lines 3-7), means for generating a result value corresponding to the primary input value of the first key if the press of the first key is released before the press of the second key is received (Page 3, Par. 32-46; See figure 3), and means for generating a result value corresponding to the secondary input value of the second key, if the press of the first key is not released before the press of the second key is received (Page 3, Par. 47-57; See figure 3), however, Tsubai et al., does not expressly disclose the first key having row value, the second key having a primary input value and a plurality of secondary input values, and means for generating a result value corresponding to the secondary input value of the second key indicated is being based on by the row value of the first key. Kandogan et al., disclose a means for a first key having row value (Col. 2, lines 43-53; Col. 3, lines 1-17, 27-36, 58-67; See figure 1); the second key having a primary input value and a plurality of secondary input values (Col. 2, lines 43-53; See figure 1), the generating of a result value corresponding to the secondary input value of the second key indicated by the row value of the first key (Col. 3, lines 17-27, 41-43).

It would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the means for receiving input in a device having an alphanumeric keypad of Tsubai et al., by incorporating first key having row value, the second key having a primary input value and a plurality of secondary input values, as taught by Kandogan et al., in order to have a means for receiving input in a device having an alphanumeric keypad, because Tsubai et al., discloses a

means for receiving input in a device having an alphanumeric keypad, receiving a first input corresponding to the press of a first key, the first key having row value, a primary input value, and a plurality of secondary input values, receiving a second input corresponding to the press of a second key, the second key having a primary input value and a plurality of secondary input values, if the press of the first key is released before the press of the second key is received, then generating a result value corresponding to the primary input value of the first key, and if the press of the first key is not released before the press of the second key is received, then generating a result value corresponding to the secondary input value of the second key, indicated by the row value of the first key and Kandogan et al., discloses first key having row value, the second key having a primary input value and a plurality of secondary input values.

15 As to claim 12, the device of claim 11, further, Tsubai et al., discloses a means for generating a subsequent result value corresponding to the primary input value of the second key, if the press of the first key is released before the press of the second key is received (See figures 3 and 4).

16 As to claim 13, the device of claim 11, further, Kandogan et al., discloses the primary input value of the first key is a numeric character (See figures 1 and 10).

17 As to claim 14, the device of claim 11, further, Kandogan et al., discloses the secondary input values of the second key are alphabetic characters (See figures 1 and 10).

18 As to claim 15, the device of claim 11, further, Kandogan et al., discloses the device is a mobile telecommunications device (Col. 1, lines 47-49).

19 As to claim 16, the method of claim 11, however, the combination of Tsubai et al., and Kandogan et al., does not expressly discloses if the row value of the first key is equal to 1, then the first of the secondary input values of the second key is selected as the result code. But Kandogan et al., discloses different symbols may be assigned to 1 key (Col. 6, lines 56-67).

It would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the combination of Tsubai et al., and Kandogan et al., to have the row value of the first key is equal to 1, the first of the secondary input values of the second key is selected as the result code, because Kandogan et al., discloses different symbols may be assigned and uses program to implement the method for input of (Col. 10, lines 48-50) and one of ordinary skill in the art recognizes that a program code may be adapted to manipulate the output of any key.

20 As to claim17, the device of claim 11, further, Kandogan et al., discloses a message is formed via subsequent key presses (Col. 2, lines 57-67).

21 As to claim 18, the device of claim 11, further, Kandogan et al., discloses a character corresponding to the result value is displayed (Col. 5, lines 24-26).

22 As to claim 19, the device of claim 11, further, Kandogan et al., discloses the row value of the first key corresponds to the physical row placement of the key on the alphanumeric keypad of the device (Col. 3, lines 29-36).

23 As to claim 20, the device of claim 11, further, Kandogan et al., discloses the alphanumeric keypad is a standard telephone keypad (Col. 2, lines 33-35; See figures 1 and 10).

24 As to claim 21, Tsubai et al., discloses a method for receiving input in a device having an alphanumeric keypad (Abs 1-9; See figure 2), providing an alphanumeric keypad having keys arranged in a plurality of rows, each key having multiple input values (Page 2, Par. 22; Par. 23, lines 1-1-5), receiving a keypress entry of one of the keys, determining an input value for the key, of the multiple input values according to whether a second key is concurrently pressed (Page 2, Par. 25, 7-10), however, Tsubai et al., does not expressly disclose if a second key is concurrently pressed, the row number of the second key.

Kandogan et al., disclose a method for a first key having row value (Col. 2, lines 43-53; Col. 3, lines 1-17, 27-36, 58-67; See figure 1), the second key having a primary input value and a plurality of secondary input values (Col. 2, lines 43-53; See figure 1), the generating of a result value corresponding to the secondary

input value of the second key indicated by the row value of the secondary (Col. 3, lines 17-27, 41-43).

It would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the method for receiving input in a device having an alphanumeric keypad of Tsubai et al., by incorporating a secondary input value of the second key indicated by the row value of the secondary, as taught by Kandogan et al., in order to have the method for receiving a keypress entry of one of the keys, determining an input value for the key, of the multiple input values according to whether a second key is concurrently pressed, if a second key is concurrently pressed, the row number of the second key, because Tsubai et al., discloses a method for receiving input in a device having an alphanumeric keypad, receiving a first input corresponding to the press of a first key, the first key having row value, a primary input value, and a plurality of secondary input values, receiving a second input corresponding to the press of a second key and Kandogan et al., discloses secondary having row value, the second key having a primary input value and a plurality of secondary input values.

25 As to claim 22, a computer program product stored in a machine-readable medium (Page 2, Par. 20) comprising instructions for receiving a first input corresponding to the press of a first key, a primary input value (Page 2, Par. 25, lines 1-3), and a plurality of secondary input values; instructions for receiving a second input corresponding to the press of a second key (Page 2, Par. 25, lines 3-7), instructions for generating a result value corresponding to the primary input

value of the first key, if the press of the first key is released before the press of the second key is received (Page 3, Par. 31), and instructions for generating a result value corresponding to the secondary input value of the second key, if the press of the first key is not released before the press of the second key is received (Page 3, Par. 58). Kandogan et al., disclose a computer program product stored in a machine-readable medium for a first key having row value (Col. 9, lines 48-54; Col. 2, lines 43-53; Col. 3, lines 1-17, 27-36, 58-67; See figure 1), instructions for the second key having a primary input value and a plurality of secondary input values (Col. 2, lines 43-53; See figure 1), and instructions for the generating of a result value corresponding to the secondary input value of the second key indicated by the row value of the first key (Col. 3, lines 17-27, 41-43).

It would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the computer program product stored in a machine-readable medium of Tsubai et al., by incorporating instruction for first key having row value, the second key having a primary input value and a plurality of secondary input values, as taught by Kandogan et al., in order to have a computer program product stored in a machine-readable medium, because Tsubai et al., discloses an instructions for receiving input in a device having an alphanumeric keypad, receiving a first input corresponding to the press of a first key, the first key having row value, a primary input value, and a plurality of secondary input values, receiving a second input corresponding to the press of a second key, the second key having a primary input value and a plurality of

secondary input values, if the press of the first key is released before the press of the second key is received, then generating a result value corresponding to the primary input value of the first key, and if the press of the first key is not released before the press of the second key is received, then generating a result value corresponding to the secondary input value of the second key, indicated by the row value of the first key and Kandogan et al., discloses an instructions for first key having row value, the second key having a primary input value and a plurality of secondary input values.

26 As to claim 23, Tsubai et al., discloses a mobile communication device (Page 2, Par. 22) comprising a keypad having keys associated with a primary alphanumeric character and secondary alphanumeric characters (See figure 2), and a processor coupled with the keypad (Page 3, Par. 58), the processor programmed to select from among the secondary alphanumeric characters associated with a first key based upon a second key that is pressed concurrently with the first key (Page 2, Par. 25, lines 7-10; Page 3, Par. 58-64), however, Tsubai et al., discloses the secondary alphanumeric characters associated with a first key is being based upon keypad position of a second key. Kandogan et al., discloses a mobile communication device that has a secondary alphanumeric characters associated with a first key based upon keypad position of a second key (Col. 3, lines 1-27).

It would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the a mobile communication device of Tsubai et al., by

incorporating the a mobile communication device that has a secondary alphanumeric characters associated with a first key based upon keypad position of a second key of Kandogan et al., in order to have the a mobile communication device that has a keypad having keys associated with a primary alphanumeric character and secondary alphanumeric characters, and a processor coupled with the keypad, the processor programmed to select from among the secondary alphanumeric characters associated with a first key based upon the keypad position of a second key, because Kandogan et al., discloses a secondary alphanumeric characters associated with a first key based upon keypad position of a second key that is pressed concurrently with the first key and one of ordinary skill in the art recognizes that having the secondary alphanumeric character associated with the first key based on the position of a second key increase the number of character that may be entered with out increasing the number of keys on the keyboard.

27 As to claim 24, the mobile communication device of claim 23, further, Kandogan et al., discloses the keypad position of the second key is the row in which the second key is located in the keypad (Col. 3, lines 17-27).

28 As to claim 25, the mobile communication device of claim 23, further, Kandogan et al., discloses the keypad position of the second key is the column in which the second key is located in the keypad (Col. 2, lines 53-64; Col. 3, lines 17-27).

29 As to claim 26, the mobile communication device of claim 23, further, Kandogan et al., discloses the selection is according to the number of the row in which the second key is located in the keypad (Col. 3, lines 17-27).

30 As to claim 27, the mobile communication device of claim 23, further, Kandogan et al., discloses the selection is according to the number of the column in which the second key is located in the keypad. (Col. 3, lines 17-27).

### ***Conclusion***

31 The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following cited art is further to show the state of art related to Device and method for improved text entry on an alphanumeric keypad.

32 In the US patent (5,007,008) of "Method and apparatus for selecting key action," Beers teaches device and method for improved text entry on an alphanumeric keypad "This invention relates to execution of operations from a keyboard. More particularly, this invention relates to method and apparatus for determining which of a number of operations, functions, or other actions associated with a key is to be executed upon pressing of the key"

33 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sisay Yacob whose telephone number is (571) 272-8562. The examiner can normally be reached on Monday through Friday 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on (571) 272-3068. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sisay Yacob

12/8/2005

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